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Attorneys for Defendants  
Rambus Inc., Harold Hughes, P. Michael  
Farmwald, Mark Horowitz, Kevin Kennedy,  
Thomas Bentley, Abraham Sofaer, Laura S.  
Stark, Michael Schroeder, Samir A. Patel,  
Sharon E. Holt, Kevin S. Donnelly  
and Subodh Toprani

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DOUGLAS B. KELLEY,  
Plaintiff,

v.

RAMBUS, INC., PRICEWATERHOUSE  
COOPERS, LLP, WILSON SONSINI  
GOODRICH & ROSATI, LLP, HAROLD  
HUGHES, GEOFFREY TATE, DAVID  
MOORING, MARK HOROWITZ, PAUL  
MICHAEL FARMWALD, BRUCE S.  
DUNLEVIE, EDWARD H. LARSEN,  
WILLIAM DAVIDOW, ROBERT EULAU,  
JOHN DANFORTH, KEVIN KENNEDY,  
CHARLES GESCHKE, THOMAS BENTLEY,  
MICHAEL SCHROEDER, SHARON HOLT,  
KEVIN DONNELLY, LAURA STARK,  
ABRAHAM SOFAER, SUBODH TOPRANI,  
SAMIR PATEL, DOES (1-10)

Defendants.

CASE NO.: C-07-02455 JF

**RAMBUS DEFENDANTS'  
STATEMENT IN RESPONSE TO  
PLAINTIFF'S ADMINISTRATIVE  
MOTION TO CONSOLIDATE  
CASE NO. 5:07CV02455JF WITH  
RELATED CASE NO. 07-1238 JF**

1 Defendants Rambus Inc., Harold Hughes, P. Michael Farmwald, Mark Horowitz, Kevin  
2 Kennedy, Thomas Bentley, Abraham Sofaer, Laura Stark, Michael Schroeder, Samir Patel,  
3 Sharon Holt, Kevin Donnelly and Subodh Toprani (collectively, the "Rambus Defendants")  
4 hereby respond to Plaintiff's Administrative Motion to Consolidate Case No. 5:07CV02455JF  
5 With Related Case No. 07 1238 JF as follows:

6 The Court has already related the instant action ("*Douglas Kelley*") with Case No. 07-  
7 1238 JF ("*James Kelley*"), and both actions are before this Court. See Related Case Order, dated  
8 May 30, 2007. While the Rambus Defendants do not oppose consolidation of these cases as  
9 such, they believe it appropriate to raise two issues for the Court's consideration:

10 First, in the event that the Court were to consolidate the cases, there is the possibility that  
11 one plaintiff would end up acting on behalf of another plaintiff. Because plaintiffs in both cases  
12 are *pro se*, consolidation of these actions would create an even greater risk of unauthorized  
13 practice of law in these matters.

14 Second, if the Court were to consolidate the cases, it should not allow the filing of a  
15 consolidated complaint until after the disposition of the motions to dismiss the Third Amended  
16 Complaint in *James Kelley* and any motions to dismiss the First Amended Complaint to be filed  
17 in *Douglas Kelley*, if the Court grants such motions with leave to amend. The hearing on the  
18 motions to dismiss *James Kelley* is currently set for September 7, 2007, and the Rambus  
19 Defendants intend to file their motion to dismiss *Douglas Kelley* in the near future. Plaintiffs in  
20 *James Kelley* have already filed an initial complaint and three subsequent amendments and the  
21 Court has ordered that they not file any further complaints without leave of Court. Mr. Douglas  
22 Kelley has already filed the one amended complaint permitted without leave of Court or  
23 defendants' consent under Federal Rule of Civil Procedure 15(a) and, therefore, cannot file any  
24 further amendments without leave of Court.

1 Dated: June 21, 2007

WILSON SONSINI GOODRICH & ROSATI  
Professional Corporation

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4 By: /s/ Ignacio E. Salceda  
Ignacio E. Salceda

5 Attorneys for Defendants Rambus Inc., Harold  
Hughes, P. Michael Farmwald, Mark  
6 Horowitz, Kevin Kennedy, Thomas Bentley,  
Abraham Sofaer, Laura S. Stark, Michael  
7 Schroeder, Samir A. Patel, Sharon E. Holt,  
Kevin S. Donnelly and Subodh Toprani  
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